IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE, AT NASHVILLE

| TOMAS H. RATNER and |) |
|---------------------|---------------------------------|
| ROSALYNDA RATNER |) |
| |) Case No: 3:10-cv-00524 |
| PLAINTIFFS, |) |
| v. |) Judge: William J. Haynes, Jr. |
| |) Magistrate: John S. Bryant |
| NORCOLD, INC. |) |
| |) JURY DEMAND |
| DEFENDANT. |) |
| |) |

NORCOLD, INC.'S MOTION FOR LEAVE TO FILE REPLY TO PLAINTIFFS' RESPONSE TO NORCOLD'S MOTION AND MEMORANDUM OF LAW TO DISMISS CERTAIN PLAINTIFFS' CLAIMS

Defendant Norcold, Inc. moves this court, pursuant to Local Rule 7.01(b), for leave to file a reply memorandum to Plaintiffs' Response to Norcold, Inc.'s Motion and Memorandum of Law to Dismiss Certain Plaintiffs' Claims. If allowed, Defendant's reply will not reargue the law addressed in Defendant's Motion. But, the reply will be focused on specifically addressing the issues raised by the Plaintiffs in opposition to the partial motion to dismiss. Further, it is Defendant's intention by filing a reply to assist the Court by clarifying Defendant's legal position and support for its partial Motion to Dismiss.

Based on the foregoing, Defendant respectfully requests leave be granted for it to file a reply. A copy of Defendant's reply is attached hereto as Exhibit A.

Junen Trumshon MGRANTED LILLY WORD 9-1-10